

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Servants – Social Welfare Department – Allegation of Acquisition of assets disproportionate to the known sources of income against Sri V. Bhaskar Rao, formerly Superintendent, O/o the Deputy Director (SW), Kakinada (now Retired) – Imposition of penalty of 8% cut in pension permanently under Rule 9 of the A.P. Revised Pension Rules, 1980 against Sri V. Bhaskar Rao, formerly Superintendent, O/o the Deputy Director (SW), Kakinada, East Godavari (now Retired) – Orders – Issued.

SOCIAL WELFARE (SER.II.1) DEPARTMENT

G.O.Rt.No. 546

Dated:-**06.08.2013**

Read the following:-

1. DG, ACB, Hyderabad Lr.Rc.No.48/RC-A-REG/97, Dt.19.4.1997 and 13.6.2000.
2. G.O.Rt.No.564, SW(Ser.II) Deptt., dt. 21.11.2000
3. Govt. Memo No. 6561/SW.Ser.II(1)/97-19, dt.14.9.2000
4. Charge Memo of the Commissioner of Social Welfare A.P. Hyderabad Proc.Rc.No.P2/3428/97, Dated 16-10-2000.
5. Proceedings of the Commissioner of Social Welfare A.P. Hyderabad Procdgs.Rc.No.J1/3428/1997, Dt 22-11-2001.
6. Enquiry report against Sri V. Bhaskar Rao, formerly Superintendent, O/o the DD (SW), East Godavari, Kakinada Dated 20-02-2002.
7. Proceedings of the Commissioner of Social Welfare, A.P., Hyderabad Procdgs.Rc.No.J1/3428/97, Dt 21-07-2005.
8. Order of the Hon'ble A.P.A.T., Hyd., Dated 27-06-2006 in O.A..No.3920/2005 filed by Sri V. Bhaskar Rao, formerly Superintendent O/o the DD (SW), East Godavari, Kakinada.
9. Representation of Sri V. Bhaskar Rao, formerly Superintendent O/o the DD (SW), East Godavari, Kakinada, Dated 05-08-2006.
10. Govt.Memo.No.6561/SW.Ser.II.I/1997-62Dt:02-08-2011 along with Inquiry report
11. From CSW, HYd., Lr.Rc.No.J2/3428/1997, dt.15.12.2012 along with explanation of Sri V. Bhaskara Rao, formerly Supdt (now Retd) O/o DD(SW) dt. Nil.
12. Govt. Lr.No.6561/SW.Ser.II.1/1997-63, dt. 3.6.2013
13. From the Secretary, APPSC Lr.No.1270/RT/3/2013, dated. 19.6.2013

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ORDER:-

In the reference 1st read above, on the allegation of acquisition of assets disproportionate to the known sources of income, the Director General, Anti Corruption Bureau, Hyderabad has registered a case, conducted simultaneous searches on 22.3.1997 at the residential premises of Sri V. Bhaskara Rao, Superintendent O/o Deputy Director (SW) Kakinada, East Godavari and submitted their preliminary report to Government. Further the Director General, Anti Corruption Bureau in their letter dt.13.6.2000 has submitted final report recommending that the Accused Officer Sri V. Bhaskara Rao, Superintendent may be prosecuted in a Court of Law for being in possession of disproportionate assets to a tune of Rs.11,52,824/- and to initiate Departmental

(p.t.o)

action against Smt. J.M. Rajarajeswari, Senior Assistant O/o Deputy Director (SW) Kakinada for having illicit intimacy with the Accused Officer and purchase of some assets in her name without obtaining prior permission from the competent Authority as per A.P. Civil Services(Conduct) Rules, 1964.

2. In the reference 2nd read above, accorded sanction to the Director General, Anti Corruption Bureau, Hyderabad to prosecute Sri V. Bhaskara Rao, Superintendent in a Court of Law for being in possession of disproportionate assets. In the reference 3rd read above, the Commissioner, Social Welfare, A.P., Hyderabad has been requested to initiate Departmental Action against Sri V. Bhaskara Rao, Superintendent and Smt. J.M. Rajarajeswari, Senior Assistant O/o Deputy Director (SW) for violation of A.P. Civil Services (Conduct) Rules, 1964.

3. In the reference 4th read above, the Commissioner of Social Welfare A.P. Hyderabad has framed two (02) charges against Sri V. Bhaskar Rao, formerly Superintendent, O/o the Deputy Director (SW), East Godavari, Kakinada, for acquiring movable and immovable assets in the name of himself and his wife without obtaining prior permission from the competent authority and unofficially performed the second marriage with Smt. J.M. Rajarajeswari. The charged officer has submitted his written statement of defence dt. 14.9.2001.

4. Sri V. Bhaskar Rao, formerly Superintendent O/o DD(SW) Kakinada , East Godavari was placed under suspension vide Commissioner, Social Welfare, A.P., Hyderabad proceedings dt. 6.4.2001.

5. The Commissioner of Social Welfare in the reference 5th read above, appointed Sri. K.V.R. Sarma, Joint Director (SW) as Enquiry Officer to conduct a regular enquiry into the charges framed against the charged officer and Deputy Director (SW) East Godavari was appointed as presenting Officer.

6. The Enquiry Officer conducted the enquiry and submitted his enquiry report in the reference 6th read above. The Enquiry officer held that the charge No. one (01) framed against the Officer is held proved and charge No. two (02) is not held proved.

7. Basing on the enquiry report of the above said Inquiry Officer, the Commissioner of Social Welfare, A.P. Hyderabad duly following the procedures laid down in the rules, imposed a punishment of Dismissal from service to Sri V. Bhaskar Rao, formerly Superintendent, O/o the Deputy Director (SW), East Godavari, Kakinada under Rule 9(X) of APCS (CCA) Rules,1991 vide reference 7th read above.

8. Aggrieved by the Proceedings of the Commissioner of Social Welfare, the charged Officer has filed a O.A.No.3920/2005 before the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad and the Hon'ble Andhra Pradesh Administrative Tribunal in its Order dated:27-06-2006 allowing the O.A. by set aside the order of punishment of dismissal from service and discharged the applicant from charge No.2, as it is not proved and directed to pass necessary orders regarding penalty for misconduct covered by Charge No.1, which is proved.

9. Sri V. Bhaskar Rao, formerly Superintendent O/o Deputy Director (SW) vide reference 9th read above, requested the Government to reduce the penalty imposed against him and to reinstate him into service. The Accused Officer was reinstated into service and he was retired from service on 28-02-2011 on attaining the age of superannuation.

10. After examination of the entire matter, the Government has provisionally decided to impose a penalty of 8% cut in pension permanently against Sri V. Bhaskar Rao, Superintendent (Retd).

11. In the reference 10th read above, while communicating the copy of the inquiry report, a show cause notice has been issued to Sri V. Bhaskar Rao, formerly Superintendent O/o DD(SW) (now Retd), directing him to explain as to why a penalty of 8% cut in pension permanently should not be imposed against him under Rule 9 of AP Revised Pension Rules, 1980.

12. In response to the show cause notice, Sri V. Bhaskar Rao, formerly Superintendent O/o DD(SW) (now Retd) stated that out of (2) charges framed against him, the inquiry officer in respect of charge No.2 was not established and the only charge established his failure to comply with the provisions of rule 9(1) of APCS Conduct Rules, 1964. He has further stated that by disposing his ancestral property and his wife's streedhanam property the acquisitions were made and due to his ignorance only, he has not obtained prior permission from the competent authority, but none of the transactions are of benami nature and all the transactions made by him and by his wife are only through registered public documents and in their names only and those transactions were reflected in his annual property statements. He has not made any attempt to suppress the fact of his acquisitions and disposals. He has requested to take a lenient view on he charge of non compliance of Rule 9(1) of the conduct rules as the failure was not intentional only on account of ignorance. He has not caused any financial loss to Government and requested to exonerate him to the charge and regularize the period of suspension as duty and sanction increments to him and re-fix his pay in RPS 2005 and also requested to reconsider the provisional decision of imposing 8% cut in his pension permanently, vide reference 11th read above.

13. The Government examined the entire matter with the Inquiry Report and explanation of the charged officer and decided to impose the penalty of cut in pension 8% permanently under Rule 9 of APRPR 1980 against Sri V. Bhaskar Rao, formerly Superintendent (now Retd) Kakinada. The matter was referred to A.P. Public Service Commission for their concurrence vide reference 12th read above.

14. In the reference 13th read above, the Secretary, A.P. Public Service Commission have agreed with the proposal of the Government to impose punishment of 8% cut in pension permanently against Sri V. Bhaskar Rao, formerly Superintendent (now Retd) and advised accordingly.

15. The Government after careful examination of the entire matter and hereby impose the penalty of 8% cut in pension permanently against Sri V. Bhaskar Rao, formerly Superintendent O/o DD (SW) (now Retd) under the A.P. Revised Pension Rules, 1980.

16. The Commissioner of Social Welfare Hyderabad, shall take necessary action accordingly and furnish the action taken report to Government immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri V. Bhaskar Rao, formerly Superintendent O/o DD(SW) (now Retd.) (through the CSW, A.P., Hyderabad)

The Commissioner, Social Welfare, A.P., Hyderabad (with a request to serve the order on the individual and arrange to return the served copy to the Government)

Copy to:

The Director General, Anti Corruption Bureau, Hyderabad

The Vigilance Commissioner, A.P. Vigilance Commission, Hyderabad.

The Secretary, A.P. Public Service Commission, Hyderabad for favour of information

The District Collector, Kakinada, East Godavari & Krishna

The Accountant General (A&E), A.P., Hyderabad

The Deputy Accountant General (Pensions), O/o Accountant General, A.P., Hyderabad.

// FORWARDED:: BY ORDER //

SECTION OFFICER